

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS  
OFFICIAL MINUTES  
PUBLIC HEARING  
NOVEMBER 18, 2002  
6:15 P.M.**

**(2003 Scattered Site Housing Program Application)**

**Pursuant to notice duly advertised and posted, the Brunswick County Board of Commissioners conducted a Public Hearing on the above date at 6:15 p.m., Commissioners' Chambers, Public Assembly Building, County Government Center, Bolivia, North Carolina.**

**PRESENT:** Commissioner Donald E. Warren, Chairman  
Commissioner May W. Moore, Vice Chairman  
Commissioner David R. Sandifer  
Commissioner Tom B. Rabon, Sr.  
Commissioner William M. Sue

**STAFF:** Marty K. Lawing, County Manager  
Steve Stone, Assistant County Manager  
Huey Marshall, County Attorney  
Mark Seagle, Assistant County Attorney  
Debby Gore, Clerk to the Board  
Margie Stephenson, Deputy Clerk  
Lithia E. Brooks, Director of Fiscal Operations

**I. CALL TO ORDER**

Chairman Warren called the Public Hearing to order at 6:19 p.m., and announced that the purpose of the Public Hearing was to receive public comments concerning the 2003 Scattered Site Housing Program Application.

Vonnie Fulwood, Public Housing Director, explained that this is a required Public Hearing for input regarding the Scattered Site Housing Program Application.

**II. PUBLIC COMMENTS**

Chairman Warren asked if any members of the audience wished to address the Board of the proposed amendment.

1. Fred Stevenson lives in Longwood and stated that this community has approximately 12-14 homes in need of repair and replacement.

**III. ADJOURNMENT**

Commissioner Sandifer moved to adjourn the Public Hearing at 6:21 p.m. The vote of approval was unanimous.

\_\_\_\_\_  
Donald E. Warren, Chairman

\_\_\_\_\_  
Deborah (Debby) Gore, Clerk to the Board

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS  
OFFICIAL MINUTES  
REGULAR MEETING  
NOVEMBER 18, 2002  
6:30 P.M.**

**The Brunswick County Board of Commissioners met in Regular Session on the above date at 6:30 p.m., Commissioners' Chambers, Public Assembly Building, County Government Center, Bolivia, North Carolina.**

PRESENT:                   Commissioner Donald E. Warren, Chairman  
                                  Commissioner May Moore, Vice-Chairman  
                                  Commissioner David Sandifer  
                                  Commissioner Tom B. Rabon, Sr.  
                                  Commissioner William M. Sue

STAFF:                     Marty K. Lawing, County Manager  
                                  Steve Stone, Assistant County Manager  
                                  Huey Marshall, County Attorney  
                                  Mark Seagle, Assistant County Attorney  
                                  Debby Gore, Clerk to the Board  
                                  Margie Stephenson, Deputy Clerk  
                                  Lithia E. Brooks, Fiscal Operations Director

**I. CALL TO ORDER**

Chairman Warren called the meeting to order at 6:30 p.m.

**II. INVOCATION/PLEDGE OF ALLEGIANCE**

Commissioner Sue gave the Invocation and led the Pledge of Allegiance.

**III. ADJUSTMENTS/APPROVAL OF AGENDA**

Chairman Warren asked if there were any adjustments to the agenda. The following adjustments were made:

1. Lithia Brooks, Fiscal Operations Director, requested to remove Item 3 C from the Consent Agenda.

Commissioner Sandifer moved to approve the agenda with the adjustments included. The vote of approval was unanimous.

#### **IV. PUBLIC COMMENTS**

Chairman Warren asked if there was anyone in the audience who wished to speak regarding any item on the agenda or any matter that was not included in the agenda.

There were no comments from the audience.

#### **V. APPROVAL OF CONSENT AGENDA**

Commissioner Sandifer moved to approve the Consent Agenda. The vote of approval was unanimous. The following items were approved:

##### **A. Minutes**

- 1) Public Hearing Minutes, November 4, 2002 6:00 p.m.
- 2) Regular Meeting Minutes, November 4, 2002 6:30 p.m.

##### **B. Tax Matters**

- 1) Approval of July 2002 Motor Vehicle Valuation & Levy. (**Exhibit Book 32, Attachment #1**)
- 2) Approval of Tax Releases for November 2002 (**Exhibit Book 32, Attachment #2**)

##### **C. Finance (Exhibit Book 32, Attachment #3)**

We are in receipt of the following budget amendment requests:

##### **1) Library**

\$15,000 Increase                      State Revenue - Restricted

This amendment represents notification of a State grant for up to \$15,000 for the purpose of retaining a professional library consultant to prepare a long-range master plan for the library system. County funds are not involved.

##### **2) Parks & Recreation - Recreation Department**

\$5,804 Increase                      Special Program Revenues - Dixie Youth

This amendment represents the amount of revenue collected to date over budget specifically for the Dixie Youth Baseball program. This revenue must be designated and expended for operational costs of the program as administered by the Parks and Recreation department. County funds are not involved.

##### **3) 1/2 Cents Sales Tax - Article 44 (deleted under Adjustments to the Agenda)**

\$463,650 Increase                      1/2 Cents Sales Tax - Article 44

This amendment represents the net amount of revenue anticipated to be received from the new 1/2 cents Sales Tax you enacted effective December 1, 2002. The gross amount we anticipate to collect from the State for this additional 1/2 cents **Sales Tax** is approximately \$1,718,000. This estimate was released by the North Carolina Association

of County Commissioners (NCACC). Included in this amendment is a contribution to the Village of Bald Head Island for the anticipated revenue loss that is expected due to the loss of the State reimbursements for FY 2002-2003 in the amount of \$35,000. This contribution only applies to FY 2002-2003 because there is a "hold harmless" provision included in this legislation that requires the State to make up this difference in FY 2003-2004. Finally, reducing the State reimbursements from the FY 2002-2003 budget is also included in this amendment which were Intangibles Tax Reimbursement at \$524,000, Inventory Tax reimbursement at \$672,350 and the Senior Citizen Tax Exemption Reimbursement at \$58,000. County funds are not involved.

4) Health - Childhood Lead Poisoning Prevention Program

\$240 Decrease                      State Revenue - Restricted

The amendment represents notification from the State of this reduction in State revenues for the above referenced program. This amount will be reduced from operational expenses of the program. County funds are not involved.

5) Senior Citizen Center

\$10,176 Increase                      State Revenues - Restricted

This amendment represents notification from the State of the General Purpose Funding award for FY 2002-2003. These funds may be used to support and develop programming and/or general operations of the Senior Citizens Center. County matching funds were included in the original budget ordinance, so no additional County funds are not involved.

6) School Capital Project Ordinance - Category I Projects

\$325,350 Decrease                      1/2 Cents Sales Tax and Excess Ad Valorem Tax

This amendment was requested by the School System and represents an adjustment in order to bring the County and the School System in balance with the Category I projects as of June 30, 2002. We have verified the information provided to us by the School system and agree with the number above. County funds are not involved.

7) Brunswick County Airport Runway Expansion Capital Project Ordinance

\$2,250,000 Increase                      DOT Grant Revenue

As you may recall, the County agreed to be the pass through agency for the Brunswick County Airport capital project grants. We have received notification of the above referenced grant from the Brunswick County Airport Commission. This grant is specific to land acquisition. Local match was approved by the County and the Town of Oak Island on November 20, 2000, so additional County funds are not involved.

8) Oak Island Fire Fee District

\$416,997 Increase                      Fire Fee Revenue

We received the above revenue estimate from the Emergency Management department. This fire fee district will be accounted for consistent with other fire fee district. County funds are not involved.

9) Special School Capital Reserve Fund

\$1,246,211 Increase                      General Fund Balance Appropriated

Pursuant to the current agreement between the County and the School System, this amendment represents the amount collected in excess of the FY 2001-2002 budget

appropriation for the School System regarding the 2002 levy as of June 30, 2002. These funds must be designated in and contributed to the Special School Capital Reserve fund for the School System's future use.

We request the Board's concurrence to amend the FY 2002-2003 Budget Ordinance, the School Capital Project Ordinance - Category I, the Brunswick County Airport Runway Expansion Capital Project Ordinance, the Special School Capital Reserve fund, and the Trust & Agency fund (Oak Island Fire Fee District) accordingly.

**D. Solid Waste – St. Phillip’s Episcopal Church (Exhibit Book 32, Attachment #4)**

Request exemption from tipping fees for the County Landfill for St. Phillip’s Episcopal Church.

## **VI. ADMINISTRATIVE REPORT**

**1. Public Housing – CDBG Contingency Application – (Vonnie Fulwood)**

Staff recommends that the Board of Commissioners consider setting a Public Hearing for December 2, 2002 for Community Development Block Grant Contingency Application.

Commissioner Sandifer moved to set a Public Hearing for December 2, 2002 at 6:15 p.m. The vote of approval was unanimous. **(Exhibit Book 32, Attachment #5)**

**2. West Regional Wastewater Project – Task Order No. 11A – (Marty Lawing)**

Staff recommends that the Board of Commissioners consider approving Task Order No. 11A of the Project Management Agreement with HDR Engineering, Inc. of the Carolinas for Design Engineer Oversight Services and the associated Project Budget Amendment. The County Manager explained that the compensation for the scope of services outlined under this Task Order is not to exceed \$74,000.00 to be invoiced and paid on a monthly basis. The original agreement called for a fee of \$100,000.00 for Design Engineer Oversight which has been reduced due to the change in the size of the project.

Commissioner Sandifer moved to approve Task Order NO. 11A for the Project Management Agreement with HDR Engineering for Design Engineer Oversight Services and the associated Project Budget Amendment. The vote of approval was unanimous.  
**(Exhibit Book 32, Attachment #6)**

**3. Emergency Services – Interlocal Agreement For Fire Code Enforcement – (Randy Thompson)**

Staff recommends that the Board of Commissioners consider approving an Interlocal Agreement for interested municipalities for the enforcement of Fire Codes within their corporate limits.

Vice-Chairman Moore moved to approve the Interlocal Agreement for interested municipalities for the enforcement of Fire Codes within corporate limits. The vote of approval was unanimous.

(Exhibit Book 32, Attachment #7)

**4. Wilmington Urban Area MPO – Memorandum of Understanding – (*Marty Lawing*)**

Staff recommends that the Board of Commissioners consider approving a MOU between all of the participating agencies in the Metropolitan Planning Organization for comprehensive long-range transportation planning. The County Manager explained that the total fee will be \$2,086.

Commissioner Sue moved to approve the Memo of Understanding between all of the participating agencies in the MPO for comprehensive long-range transportation planning. The vote of approval was unanimous.

(Exhibit Book 32, Attachment #8)

**5. Town of Navassa – Infrastructure Hook-up Request – (*Marty Lawing*)**

Staff recommends that the Board of Commissioners consider approving a request from the Town of Navassa to waive the Water Acreage Fee for households on Cedar Hill Road connected to the County water main with funds from the Infrastructure Hook-Up Grant.

Commissioner Sue moved to approve the request from the Town of Navassa to waive Water Acreage Fee for households on Cedar Hill Road connected to the County water main with funds from the Infrastructure Hook-Up Grant. The vote of approval was unanimous.

(Exhibit Book 32, Attachment #9)

## **VII. BOARD APPOINTMENTS**

**1. Brunswick Hospital Authority**

Commissioner Sue nominated Virgil Roberts. Commissioner Sandifer nominated David Gause. Chairman Warren nominated Nick Newton. Commissioner Sandifer moved to close the nominations. The vote of approval was unanimous. Commissioner Sandifer moved to approve the appointments of Roberts, Gause and Newton. The vote of approval was unanimous.

Virgil Roberts will serve another three-year term that will expire November 1, 2005. David Gause will serve another three-year term that will expire December 1, 2005. Nick Newton will serve another three-year term that will expire November 1, 2005.

**2. Utility Operations Board**

Vice-Chairman Moore requested to table the District 3 appointment. Chairman Warren requested to table the District 1 appointment. Commissioner Sue nominated William Browning. Commissioner Sandifer nominated Earl Andrews. Commissioner Sandifer moved to close the nominations. The vote of approval was unanimous. Commissioner Sandifer moved to approve the appointments of William Browning and Earl Andrews.

William Browning and Earl Andrews were re-appointed to serve another two-year term that will expire December 1, 2004.

**3. Region O Area Agency on Aging Advisory Council**

Vice-Chairman Moore nominated William Hargrove. Commissioner Sue nominated Edna Roy. Commissioner Sandifer moved to close the nominations. The vote of approval was unanimous. Commissioner Sandifer moved to approve the appointments of William Hargrove and Edna Roy. The vote of approval was unanimous.

William Hargrove will fill the unexpired term of Gloria Lewis that will expire June 30, 2004. Edna Roy will serve a three-year term that will expire June 30, 2005.

#### **4. Nursing Home and Adult Care Home Community Advisory Committee**

Vice-Chairman Moore requested to table the District 3 appointment. The vote of approval was unanimous.

#### **5. Board of Health**

Commissioner Sandifer nominated Margery Leuschner. Vice Chairman Moore requested to table the District 3 appointment. Commissioner Rabon requested to table the District 4 appointment. Commissioner Sandifer moved to close the nominations. The vote of approval was unanimous. Commissioner Sandifer moved to approve the appointment of Margery Leuschner. The vote of approval was unanimous.

Margery Leuschner was re-appointed to serve another three-year term that will expire December 1, 2005.

#### **6. Lower Cape Fear River Program Advisory Board**

Commissioner Sue nominated Mike Holmes. Commissioner Sandifer moved to close the nominations. The vote of approval was unanimous. Commissioner Sandifer moved to approve the appointment of Mike Holmes. The vote of approval was unanimous. Mike Holmes was re-appointed to serve another three-year term that will expire October 2005.

### **VIII. COUNTY ATTORNEY'S REPORT**

#### **1. Resolution – Midway Road**

The County Attorney explained the Resolution regarding Galloway and Midway Roads.

Vice-Chairman Moore moved to approve the Resolution on Re-Alignment and Improvements on Galloway and Midway Roads. The vote of approval was unanimous. The Board gave direction to the Clerk to distribute the Resolution to District Delegates, Governor Easley, Department of Transportation officials, the Rural Planning Organization and the Metropolitan Planning Organization. **(Exhibit Book 32, Attachment #10)**

#### **RESOLUTION ON RE-ALIGNMENT AND IMPROVEMENTS ON GALLOWAY & MIDWAY ROADS**

**Whereas**, the serenity, beauty, and warmth of Brunswick County, both socially and geographically, have recently come into much wider appreciation, causing the area to be a favorite site for relocation, retirement, or getting away, and

**Whereas**, the commerce of Brunswick County is also the commerce of the surrounding areas, necessitating the flow of contractors, surveyors, attorneys, builders and others, which persons have need to conduct business in Brunswick County and at the County seat, located near Bolivia at the County Government Complex, and

**Whereas**, the State of North Carolina has decided to upgrade the connector from NC 211 in the community of Smith, to US 17 Bypass, near Bolivia, which will facilitate commerce in the communities of

Antioch, Half Hell, Piney Grove and Bolivia, and will expand access to Green Lewis Road, Galloway Road, Old Lennon Road, and McKay Road, and expansion of the existing road-bed of NC 211 is limited by wetlands, and

**Whereas**, the current plans do not improve access to the recently completed and dedicated Brunswick County Courthouse, which was oriented facing an anticipated connection to the expanded connector between Smith and US 17.

**Now therefore, the Brunswick County Commissioners** are hereby resolved to seek further input into the decision of the North Carolina Department of Transportation, and that the RE-ALIGNMENT OF Galloway and Midway Roads be designed in such a way as to improve access to the Brunswick County Courthouse, and that the designs of the improvement identified as State Project # 8.2231801 be modified to include improved four-lane access to the Smithville Township areas.

This the 18<sup>th</sup> day of November, 2002.

s/Donald E. Warren, Chairman  
Brunswick County Commissioners

Attest:

s/Deborah S. (Debby) Gore, Clerk to the Board

## **2. Closed Session**

**6:56 p.m.** Commissioner Sandifer moved to enter into Closed Session pursuant to G. S. 143-318.10

(a) (3 ) and (a) (4), potential litigation. The vote of approval was unanimous.

**Recess** – Chairman Warren called a ten-minute recess.

## **8:23 p.m. Reconvened**

Chairman Warren called the meeting back to order. Commissioner Sandifer moved to authorize the County Attorney to file a Motion for Appropriate Relief.

## **IX. OTHER BUSINESS/INFORMAL DISCUSSION**

There was no other business to discuss.

## **X. ADJOURNMENT**

Commissioner Sandifer moved to adjourn the Regular Meeting at 8:24 p.m. The vote of approval was unanimous.

---

Donald E. Warren, Chairman

---



Deborah (Debby) Gore, Clerk to the Board